IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 20th day of May 2005
Bail application no. 411 **of 2005**
Order on the bail application of accused

CRIMINAL SIDE

1. Chandra Kishore S/o Sri Pyare Lal
2. Banty S/o Sri Chandra Kishore
Both R/o Balmiki Basti Jaspur
P.S. Jaspur
District Udham Singh Nagar ... Applicants

Versus

State of Uttaranchal ... Opposite Party

Arising out of Case Crime No. 588 of A/2005
Under Sections 307, 504, 323 of I.P.C.
P.S. Jaspur
District Udham Singh Nagar

By the court

Hon'ble B.C. Kandpal, J.

The applicants have applied for bail in case crime No. 588 of A/2005 Under Sections 307, 504 and 323 of I.P.C. registered at Police Station Jaspur, District Udham Singh Nagar.

Heard Sri Dharam Veer Sharma, learned senior counsel assisted Mohd. Azim for the applicants, learned A.G.A. and perused the record.

In this case, both the parties have filed written report against each other and the report which has been lodged from the side of the applicants appears to be prior to the report lodged by the complainant side.

The record also shows that both the parties have sustained injuries on their persons during the course of the occurrence. Therefore, it cannot be ascertained at this stage that which of the party was aggressive.

It also reveals that the complainant side have been released on bail by the court below.

Having considered the aforesaid circum stances, I think, it would just and proper the release the applicants on bail at this stage.

Let the applicants Chandra Kishore and Banty be released on bail on their executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

20.05.2005
ASWAL